

BINGHAM McCUTCHEN

Facsimile

DATE May 27, 2003

| | NAME | FAX | PHONE |
|----|--|--|----------------|
| TO | Examiner Ella Colbert Group Art Unit 3624 United States Patent and Trademark Office | 1-703-872-9327 After Final (Technology Center) | 1-703-308-7064 |

FROM Jeffrey S. Smith (650) 849-4800 (650) 849-4422
jeffrey.smith@bingham.com

PAGES (INCLUDING THIS COVER PAGE): 6

RE U.S. Patent Application Serial No. 09/073,748, Filed: May 6, 1998
Title: METHOD AND APPARATUS FOR CREATING A WELL-
FORMED DATABASE SYSTEM USING A COMPUTER
Applicant: Craig David Weissman et al.
Assignee: E.piphany, Inc.
Attorney Docket No.: EPI-003 US

FAX RECEIVED

MAY 28 2003

GROUP 3600

Official

Message:

Bingham McCutchen LLP
1900 University Avenue
East Palo Alto, CA
94303-2223

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650.849.4800 fax

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Boston
Hartford
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Certificate of Transmission (37 C.F.R. § 1.8(a)):

Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner Ella Colbert, TC3600 (Group Art Unit 3624), United States Patent and Trademark Office, After Final (Technology Center), Commissioner for Patents, at Facsimile No. (703) 872-9327 at 2:45 a.m./p.m.

Dated: May 27, 2003

Name of Person Certifying:
Printed Name:

Oscar Guillen

Enclosed:

- Transmittal Form (1 pg.)
- Fee Transmittal Letter (2 pgs.)
- Notice of Appeal to the Board of Patent Appeals and Interferences (2 pgs.)

For transmission problems, please call (650) 849-4825

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PTO/SB/21 (05-03)

Approved for use through 04/30/03. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | |
|----------------------|-----------------------------|
| Application Number | 09/073,748 |
| Filing Date | May 6, 1998 |
| First Named Inventor | Craig David Weissman et al. |
| Art Unit | 3624 |
| Examiner Name | E. Colbert |
| Attorney Docket No. | EPI-003 US |

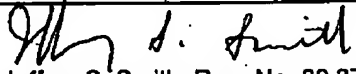
Total Number Of Pages In This Submission

5

ENCLOSURES (check all that apply)

| | | |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form (1 pg., in duplicate) | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences (2 pgs.) |
| <input type="checkbox"/> Amendment/Response | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

| | |
|-------------------------------|--|
| Firm or Individual Name | Peter C. Mei Bingham McCutchen LLP Three Embarcadero Center, Suite 1800 San Francisco, CA 94111-4067 |
| Signature |  Jeffrey S. Smith, Reg. No. 39,377 |
| Date | May 27, 2003 |

Certificate of Transmission (37 C.F.R. § 1.8(a)):

Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of:
Examiner Ella Colbert, TC3600 (Group Art Unit 3624), United States Patent and Trademark Office, After Final (Technology Center), Commissioner for Patents, at
Facsimile No. (703) 872-9327 at 2:45 a.m. (6.m.)

Date: May 27, 2003

Signature:

Typed or Printed Name: Oscar Guillen

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you
require to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

52110288.1/2024468-7007962001

PTO/SB/17 (06-03)

Approved for use through 04/30/2003. OMB 0861-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL FOR FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Complete If Known

| | |
|----------------------|-----------------------------|
| Application Number | 09/073,748 |
| Filing Date | May 6, 1998 |
| First Named Inventor | Craig David Weissman et al. |
| Examiner Name | E. Colbert |
| Art Unit | 3624 |
| Attorney Docket No. | EPI-003 US |

TOTAL AMOUNT OF PAYMENT

\$ 320.00

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **80-2518**Deposit Account Name **Bingham McCutchen LLP**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 1001 | 750 | 2001 | 375 | Utility filing fee | |
| 1002 | 330 | 2002 | 165 | Design filing fee | |
| 1003 | 520 | 2003 | 260 | Plant filing fee | |
| 1004 | 750 | 2004 | 375 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |

SUBTOTAL (1) \$

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent Claims | | x 18 | \$ |
| Multiple Dependent | | x 84 | \$ |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------|-----------------|----------------|-----------------|---|----------|
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | |
| 1201 | 84 | 2201 | 42 | Independent claims in excess of 3 | |
| 1203 | 280 | 2203 | 140 | Multiple dependent claim, if not paid | |
| 1204 | 84 | 2204 | 42 | **Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | **Reissue claims in excess of 20 and over original patent | |

SUBTOTAL (2) \$

** or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------|-----------------|----------------|-----------------|--|----------|
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 820* | 1804 | 820* | *Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | *Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 410 | 2252 | 205 | Extension for reply within second month | |
| 1253 | 930 | 2253 | 465 | Extension for reply within third month | |
| 1254 | 1,450 | 2254 | 725 | Extension for reply within fourth month | |
| 1255 | 1,970 | 2255 | 985 | Extension for reply within fifth month | 320.00 |
| 1401 | 320 | 2401 | 160 | Notice of Appeal | |
| 1402 | 320 | 2402 | 160 | Filing a brief in support of an appeal | |
| 1403 | 280 | 2403 | 140 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,300 | 2453 | 650 | Petition to revive - unintentional | |
| 1501 | 1,300 | 2501 | 650 | Utility issue fee (or reissue) | |
| 1502 | 470 | 2502 | 235 | Design issue fee | |
| 1503 | 630 | 2503 | 315 | Plant issue fee | |
| 1480 | 130 | 1480 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(c) | |
| 1808 | 180 | 1808 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 750 | 2809 | 375 | Filing a submission after final rejection (37 CFR § 1.129(e)) | |
| 1810 | 750 | 2810 | 375 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 750 | 2801 | 375 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$ 160.00

SUBMITTED BY

Name (Print/Type) **Jeffrey S. Smith**

Registration No. (Attorney/Agent)

39,377

Complete (if applicable)

Telephone (650) 849-4422

Signature

Date May 27, 2003

Burdan Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

52110233.1/2024489-7007962001

Received from < 650 849 4800 > at 5/27/03 5:40:28 PM [Eastern Daylight Time]

Appl. No.: 09/073,748

PATENT
Docket No. EPI-003 US
24489-7001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Craig David Weissman et al.
Assignee: E.piphany, Inc.
Filing Date: May 6, 1998
Serial No.: 09/073,748
Title: METHOD AND APPARATUS FOR CREATING A WELL-FORMED DATABASE SYSTEM
USING A COMPUTER

Examiner: E. Colbert
Group Art Unit: 3624

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

East Palo Alto, California
May 27, 2003

NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The items checked below are appropriate.

- ☒ Appeal Fee:
- ☒ Large Entity Fee of \$320.00; or
- ☐ Small Entity Fee of \$160.00.
- ☐ Applicant(s) claim Small Entity Status under 37 CFR § 1.27.
- ☒ Payment of Fees
- ☐ Enclosed is Check No. _____ in the amount of \$ _____.
- ☒ Please charge Deposit Account No. 50-2518, in the amount of \$320.00 to cover the above-fees, referencing billing reference no. 7007962001.
A duplicate copy of this sheet is enclosed.

05/29/2003 SWILLIAM 00000003 502518 09073748

52110292.1/2024489-7007962001

01 FC:1401

320.00 CH

1 of 2

Appl. No.: 09/073,748

PATENT
Docket No. EPI-003 US
24489-7001



The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2518, referencing billing reference no. 7007962001. *A duplicate copy of this sheet is enclosed.*

DATE: May 27, 2003

Respectfully submitted,

By: 

Jeffrey Smith
Registration No. 39,377

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